



Secretary of State

Jason M. Gant

State Capitol | 500 East Capitol Avenue | Pierre, South Dakota 57501 | sdsos@state.sd.us | sdsos.gov

August 29, 2012

Eric Hortness, Asst. Baseball Coach
Dakota State University
1302 N. Washington Ave.
Madison, SD 57042

Dear Eric:

Our office is in receipt of your raffle request. The date of the filings is August 27, 2012. You may begin selling tickets 30 days after the filings, which would be September 27, 2012.

If there is any other way in which our office could assist you, please feel free to contact me at (605) 773-3537 or email me at Judy.Larson@state.sd.us. Thank you.

Sincerely,

Judy A. Larson
Executive Assistant

Larson, Judy (SOS)

From: Hortness, Eric
Sent: Wednesday, August 29, 2012 10:57 AM
To: Larson, Judy (SOS)
Subject: DSU Baseball Fundraiser

Judy,

I received your letter today. Please use our previous letter as our 30 day written notice.

Thanks,

Eric Hortness
Assistant Baseball Coach
Dakota State University
Madison, SD
605-760-0621

08/29/2012



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August 27, 2012

Eric Hortness, Asst. Baseball Coach
Dakota State University
1302 N. Washington Ave.
Madison, SD 57042

Dear Eric:

We are in receipt of your letter requesting an exemption from SDCL 22-25-25 (6) to hold a fundraiser. Unfortunately state law does not provide exemptions. Therefore you will have to comply with this law before selling chances to your fundraiser.

According to SDCL 22-25-25 Sub Section 6:

The organizations authorized under subdivision (1) of this section, before conducting a bingo game or before selling any chances for a lottery give thirty days' written notice of the time and place thereof to the governing body of the county or municipality in which it intends to conduct the bingo game or lottery, and the governing body does not pass a resolution objecting thereto. However, any organization that conducts a lottery and tickets or shares for such lottery are sold state-wide shall provide written notice of such lottery pursuant to this subdivision only to the secretary of state and to the governing body where the drawing for such lottery is held. A municipality pursuant to § 9-29-5 may by ordinance prohibit within the municipality the sale of lottery tickets or shares for such lottery issued pursuant to this section.

If you wish, your letter could act as your 30 day written notice which would mean you could start selling chances on September 27, 2012. Please let me know if that is what you would like to do.

If you have any further questions regarding your raffle, please contact me at 773-3537 or email me at Judy.Larson@state.sd.us.

Sincerely,

Judy A. Larson
Executive Assistant

RECEIVED
AUG 27 2012
S.D. SEC. OF STATE

August 23, 2012

The Honorable Jason M. Gant
Secretary of State
State Capitol
500 East Capitol Avenue
Pierre, SD 57501

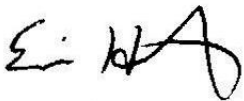
Dear Secretary Gant,

We are requesting an exemption from your office per SDCL 22-25-25 (6) as we plan to hold a fundraising effort to benefit the Dakota State University Baseball Team. The fundraiser will be held in conjunction with NFL Monday Night Football. We have included a sample sheet for an explanation of how the fundraiser works.

The fundraiser will have a winner for every Monday Night NFL game and two winners during the Super Bowl. The \$25 chances will be sold to a wide range of participants. If you have any questions concerning this fundraiser, I can be reached at the number listed below or at my email address, which is also listed below.

Please find enclosed our exempt status as a nonprofit 501 (c)(3) organization.

Sincerely,



Eric Hortness
Assistant Baseball Coach
Dakota State University
605-760-0621
eric.hortness@dsu.edu

Monday Night Football Square Fundraiser

- 17 Monday Night games (\$50 to the winner) and halftime score (\$50) & final score of Super Bowl (\$100)

Every person that buys a square gets a number from 1-100 that they will use each week of the NFL season. The visitor score across the top of the grid and the home score on the side of the grid will change each week. The winner is determined by the last digit in each of the team's final score. For example, if the home team scores 27 points and the visiting team scores 14 points, the person who has the square that matches up with home 7 and visitor 4 wins for that week. So in the example below, whoever has square 97 would win.

			V	I	S	I	T	O	R		
		1	7	2	8	3	9	4	0	5	6
	4	1	2	3	4	5	6	7	8	9	10
	8	11	12	13	14	15	16	17	18	19	20
H	5	21	22	23	24	25	26	27	28	29	30
O	9	31	32	33	34	35	36	37	38	39	40
M	6	41	42	43	44	45	46	47	48	49	50
E	0	51	52	53	54	55	56	57	58	59	60
	1	61	62	63	64	65	66	67	68	69	70
	3	71	72	73	74	75	76	77	78	79	80
	2	81	82	83	84	85	86	87	88	89	90
	7	91	92	93	94	95	96	97	98	99	100

The above square is for example purposes only. Once we receive your donation a confirmation will be emailed to you that will provide you with your square number. The email will also list the website that you can log on to, to check your weekly numbers. There will be 18 different sheets listed on the website so make sure you are looking at the correct game for your numbers. If you have any questions about your numbers, feel free to contact the DSU baseball office at 605-256-5232 or via email at eric.hortness@dsu.edu

Address any reply to: Federal Building and U. S. Court House, 316 North Robert Street, St. Paul, Minnesota 55101

Department of the Treasury

District Director

Internal Revenue Service

Date:

May 30, 1973

In reply refer to:

StP:EO:73-552 GHO:jj



Dakota State Scholarship, Inc.
Dakota State College
Madison, South Dakota 57042

Accounting Period Ending: June 30
Purpose: Charitable

Gentlemen:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(3).

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes under sections 2055, 2106, and 2522 of the Code.

If your purposes, character, or method of operation is changed, you must let us know so we can consider the effect of the change on your exempt status. Also, you must inform us of all changes in your name or address.

If your gross receipts each year are normally more than \$5,000, you are required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file a return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Please keep this determination letter in your permanent records.

Sincerely yours,

R. C. Voskuil
R. C. Voskuil
District Director